

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshiyasu WATANABE : Mail Stop: PCT

Serial No. 10/584,923 : Attorney Docket No. 2006_0962A

Filed July 5, 2006 :

AIRCRAFT, VEHICLE AND METHOD
FOR ARRANGING SEATS THEREIN
[Corresponding to PCT/JP2004/014482
Filed October 1, 2004]

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS AND REQUEST FOR RECONSIDERATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

On April 2, 2007, the Office issued a Notification of Missing Requirements alleging that the translation that was submitted upon entry into the national phase was defective. The alleged defect is that the number of claims in the International Application and the number of claims in the translation are not the same. This position by the Office is respectfully traversed.

As a point of fact, it is submitted that the number of claims in the International Application and the number of claims in the translation are the same. The translation submitted June 12, 2006 includes 12 claims. The International Application as filed included 12 claims. WIPO has acknowledged that the publication of the International Application only included claims numbered 1-8, and apparently did not include claims 9-12 as originally submitted. Attachment A represents a response from WIPO regarding this issue after inquiry by Applicant. WIPO indicates that it will take two months in order to publish the revision so as to correctly publish the International Application.

In addition, the Office is directed to Attachment B. This attachment is a printout of the claims from the priority application of record, the application having been originally filed in Japan. As can be seen from the two pages, they include claims 1-12.

The Office is further directed to Attachment C, which is the English language translation of the Written Opinion of the International Searching Authority. Clearly the International Searching Authority understands that there are 12 claims present.

The Office is further directed to Attachment D, which is a printout of the page including claims 1-8 of the International Application. It can be seen that claims 1-7 are completed by a period (represented by a small circle in the Japanese text). It can further be seen that the remainder of claim 8 is missing, which becomes more apparent from a comparison of claim 8 of Attachment B with claim 8 of Attachment D. Thus, clearly the claim can be seen to be intended to continue on to a next and subsequent page.

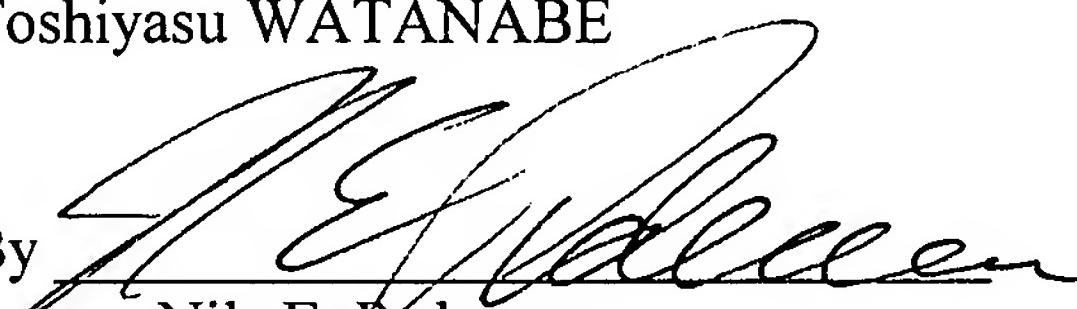
From the above, it is respectfully submitted to be clear that the error in the present application is not on the part of Applicants, but on the part of WIPO in the publication of the application. Claims 1-12 of the English translation do in fact correspond to claims 1-12 as submitted in the International Application and as in fact examined in the international phase.

Accordingly, withdrawal of the Notification is respectfully requested.

Respectfully submitted,

Toshiyasu WATANABE

By



Nils E. Pedersen

Registration No. 33,145

Attorney for Applicant

NEP/krg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
June 21, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,923	Toshiyasu Watanabe	2006-0962A
INTERNATIONAL APPLICATION NO.		
PCT/JP04/14482		
I.A. FILING DATE	PRIORITY DATE	
10/01/2004	02/05/2004	
CONFIRMATION NO. 2243		
371 FORMALITIES LETTER		
 OC000000023205682		

Date Mailed: 04/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/05/2006
- Copy of the International Search Report filed on 07/05/2006
- Preliminary Amendments filed on 07/05/2006
- Information Disclosure Statements filed on 07/05/2006
- Oath or Declaration filed on 07/05/2006
- Request for Immediate Examination filed on 07/05/2006
- U.S. Basic National Fees filed on 07/05/2006
- Assignment filed on 07/05/2006
- Priority Documents filed on 07/05/2006
- Specification filed on 07/05/2006
- Claims filed on 07/05/2006
- Abstracts filed on 07/05/2006
- Drawings filed on 07/05/2006

RECEIVED
 APR 05 2007

WENDEROTH, LIND & PONACK

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-270** for a Large Entity:

- **\$130** for English translation surcharge required.

(A previous payment of **\$400** will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,923	PCT/JP04/14482	2006-0962A

FORM PCT/DO/EO/905 (371 Formalities Notice)